

Atty Docket No. 018941-000200US

PTO FAX NO.: 703-872-9307

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Group Art Unit 1638

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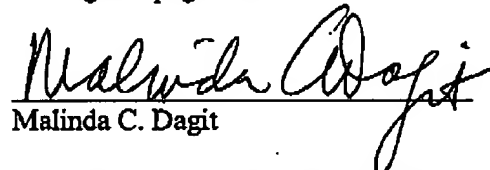
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Document(s) Attached

1. Second Amendment Under 37 CFR 1.116
2. Transmittal Form PTO/SB/05

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Dated: March 27, 2003


Malinda C. Dagit

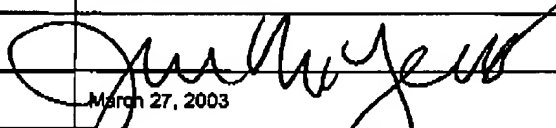
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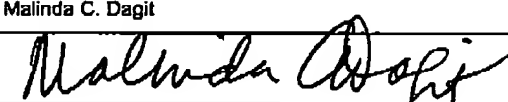
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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/134,014 | |
| | Filing Date | August 14, 1998 | |
| | First Named Inventor | Gruissem, Wilhelm | |
| | Art Unit | 1638 | |
| | Examiner Name | David T. Fox | |
| Total Number of Pages in This Submission | 10 | Attorney Docket Number | 018941-000200US |

| ENCLOSURES (Check all that apply) | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply-Second Amendment Under 37 CFR 1.116 <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard |
| Remarks | | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
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| Firm or Individual | Townsend and Townsend and Crew LLP Jean M. Lockyer, Ph.D. Reg. No. 44,879 |
| Signature |  |
| Date | March 27, 2003 |

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| Typed or printed | Malinda C. Dagit | | |
| Signature |  | Date | 27 March 2003 |

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FAX NO. 703-872-9307

ATTN.: Examiner David T. Fox

On 27 March 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Malinda Dager

AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE –
EXAMINING GROUP 1638

PATENT
Attorney Docket No.: 018941-000200US
Client Ref. No.: B98-052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gruissem *et al.*

Application No.: 09/134,014

Filed: August 14, 1998

For: HOMOLOGOUS
RECOMBINATION IN PLANTS

Examiner: David T. Fox

SECOND AMENDMENT UNDER 37 CFR
1.116 EXPEDITED PROCEDURE
EXAMINING GROUP 1638

Box AF

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Further to Applicants' Amendment and Notice of Appeal filed March 11, 2003, and the Advisory Action mailed March 19, 2003, Applicants respectfully request entry of the following amendment and remarks.

Amendments to the claims are shown in the listing of claims that begins on page 2. The listing of claims provided on page 2 will replace all prior versions of the claims in the application.

Applicants believe that no additional fees are due for this submission. However, if a fee is due, you are hereby authorized to deduct it from our Deposit Account No. 20-1430.

The remarks begin on page 4.